

1641

FORM PTO-1083

1996-045 (81841.0138)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Susumu Arimori, et al.

Serial No: 09/729,332

Filed: December 4, 2000

For: PHOTO-INDUCED ELECTRON TRANSFER  
FLUORESCENT SENSOR MOLECULES

Art Unit: 1641

Examiner: F. Ghashghaee

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX NON-FEE AMENDMENT, Commissioner for Patents Washington D.C. 20231, on September 4, 2001

Date of Deposit  
Wei-Ning Yang, Reg. No. 38,690

Name  
Signature  
Date 9/4/01

## BOX NON-FEE AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below:

|   | (Col. 1)<br>CLAIMS REMAINING<br>AFTER AMENDMENT |   | (Col. 2)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (Col. 3)<br>PRESENT<br>EXTRA* | LG/SM<br>\$ ENTITY FEE                               |    | ADD'L<br>FEE DUE |
|---|---|---|---|-------------------------------|--|----|------------------|
| TOTAL CLAIMS FEE                                | 28  | - | 60      **  | 0                             | LG=\$18<br>SM=\$9                                    | \$ | \$    0          |
| INDEPENDENT<br>CLAIMS FEE                       | 5   | - | 9      ***  | 0                             | LG=\$80<br>SM=\$40                                   | \$ | \$    0          |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS |   |   |   |                               | LARGE ENTITY FEE = \$270<br>SMALL ENTITY FEE = \$135 |    | \$               |
| TOTAL   |   |   |   |                               |  |    | \$    0          |

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ A check in the amount of \$ 0 to cover the additional claims fee is enclosed. **A copy of this sheet is enclosed.**
- ☐ A check in the amount of \$ 0 to cover the extension fee is enclosed. **A copy of this sheet is enclosed.**
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1314. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

By:

Wei-Ning Yang

Registration No. 38,690

Attorney for Applicant(s)

Date: September 4, 2001

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PATENT

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RESPONSE

BOX NON-FEE AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated July 17, 2001, favorable reconsideration is requested in view of the following remarks.

REMARKS:

Claims 1-60 are pending in the application. The Examiner has required the restriction of further prosecution to one of the following inventions: a modular fluorescence sensor, claims 1-21, 52-56, 59, and 60 (Group I); a method for synthesizing the sensor, claims 22-39 (Group II); or a method for detecting an analyte, claims 40-51, 57, and 58 (Group III). In response, applicants hereby affirm the election of Group I, corresponding to claims 1-21, 52-56, 59, and 60, without traverse. Claims 1-21, 52-56, 59, and 60 are presented for further prosecution.

Claims 1-21, 52-56, 59, and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandanayake et al. in view of U.S. Patent No. 6,002,954 (the '954 patent). This rejection is respectfully traversed.